



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,970	02/27/2004	Daryl B. Olander	BEAS-01375US0	9424
23910 7590 07/23/2007 FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			EXAMINER BELOUSOV, ANDREY	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 07/23/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/789,970

Applicant(s)

OLANDER ET AL.

Examiner

Andrew Belousov

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This action is responsive to amendment filed on May 14, 2007. Claims 1-45 are pending and have been considered below.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 7-9, 11-13, 15-18, 21-23, 25-27, 29-33, 36-38, 40-42, 44 and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Hearst, (6,223,145.)

**Claim 1, 30, 45:** Hearst discloses a method, machine readable medium having instructions stored thereon, and a computer readable storage medium for navigating a graphical user interface (GUI) having at least one page, comprising:

- a. providing a first booklet, wherein user interaction with the first booklet can cause the GUI to navigate to a new page (Fig. 13: 216; controls to change pages on the bottom);
- b. providing a request based on user interaction with the first booklet (request: query; 7:6-28);
- c. mapping the request to a control tree factory ("a cone tree generation component"; 7:6-28);

- d. generating a control tree from the factory based on the request wherein the control tree includes a booklet control corresponding to the first booklet (control tree: "cone tree"; factory: "cone tree generation component"; request: "query"; 7:6-28; booklet control: 10:40-47);
- e. advancing the control tree through at least one lifecycle stage based on the request (cone tree generation (initialization): 7:6-28); and
- f. generating a response wherein the response can be used to render the new page (response: search results; 8:38-45; 11:64-65; new page: Fig. 17: 225).

**Claim 16:** Hearst discloses a method for navigating a portal graphical user interface (GUI) having at least one page, comprising:

- a. providing a first booklet, wherein user interaction with the first booklet can cause the GUI to navigate to a new portal page (Fig. 13: 216; controls to change pages on the bottom);
- b. providing a request based on user interaction with the first booklet (request: query; 7:6-28);
- c. mapping the request to a control tree factory ("a cone tree generation component"; 7:6-28);
- d. generating a control tree from the factory based on the request wherein the control tree includes a booklet control corresponding to the first booklet (control tree: "cone tree"; factory: "cone tree generation component"; request: "query"; 7:6-28; booklet control: 10:40-47);

Art Unit: 2174

- e. advancing the control tree through at least one lifecycle stage based on the request (cone tree generation (initialization): 7:6-28);
- f. generating a response wherein the response can be used to render the new portal page (response: search results; 8:38-45; 11:64-65; new page: Fig. 17: 225); and wherein
- g. the new page can a second booklet (Fig. 17: 225).

**Claim 2, 17, 31:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the first booklet is at least one of: 1) a set of tabs and/or buttons; and 2) a menu (Fig. 13: 216.)

**Claim 3, 18, 32:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the first booklet is associated with at least one of the least one page (Fig. 13: 216.)

**Claim 4, 33:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1 and 30, respectively, wherein: the new page can a second booklet (Fig. 17: 225.)

**Claim 7, 21, 36:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, comprising: providing the

Art Unit: 2174

response to a web browser (11:64-65; results presented to SearchBook: a modification of the WebBook, a 'web browser'.)

**Claim 8, 22, 37:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the control tree is driven through the at least one lifecycle stage by an interchangeable lifecycle component (9:14-28; processor.)

**Claim 9, 23, 38:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the booklet control has an interchangeable persistence mechanism (9:14-28; non-volatile memory.)

**Claim 11, 25, 40:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the booklet control can interact with another of the at least one controls (generate events: 12:49-52.)

**Claim 12, 26, 41:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the booklet control can advance through the at least one lifecycle stage in parallel with other controls in the control tree (15:24-29.)

Art Unit: 2174

**Claim 13, 27, 42:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the at least one lifecycle stage is one of: init, load state, create child controls, load, raise events, pre-render, render, save state, unload and dispose (cone tree generation (initialization): 7:6-28.)

**Claim 15, 29, 44:** Hearst discloses a method and machine readable medium having instructions stored thereon of claim 1, 16 and 30, respectively, wherein: the booklet control can raise events and respond to events (generate events: 12:49-52; respond to events (mouse down event): 15:24-29.)

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 19 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hearst in view of Robertson et al., (5,295,243.)

**Claim 5, 19, 34:** Hearst discloses a method, and a machine readable medium having instructions stored thereon of claims 1, 16 and 30, respectively, wherein the step of generating a control tree from the factory comprises: creating a metadata

Art Unit: 2174

representation of a control tree (metadata: "labels" 9:64-10:8). While Hearst does not explicitly disclose that generating a class to construct the control tree based on the metadata representation, Robertson discloses a similar method and a machine readable medium having instructions thereon, wherein generating a class to construct the control tree is based on the metadata representation (Fig. 8, 180.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add this feature disclosed in Robertson to Hearst. One would have been motivated to generate a class to construct the control tree based on metadata representation as it was a prevalent method for object instantiation in object orientated programming languages, such as C++, a suggested computer language for realizing the instructions disclosed in Hearst (10:12-15.)

5. Claims 6, 14, 20, 28, 35 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hearst in view of Anuff et al., (6,327,628.)

**Claim 6, 20, 35:** Hearst discloses a method, and a machine readable medium having instructions stored thereon of claims 1, 16 and 30, respectively. While Hearst does not explicitly disclose that wherein the request is an hypertext transfer protocol request (HTTP); and the request originates from a web browser, Anuff discloses a similar method and a machine readable medium having instructions thereon, wherein the request is an hypertext transfer protocol request (HTTP) (Fig. 13: HTTP connection); and the request originates from a web browser (Fig. 13: Browser.) Therefore, it would



Art Unit: 2174

have been obvious to one having ordinary skill in the art at the time the invention was made to add this feature disclosed in Anuff to Hearst. One would have been motivated to have an HTTP request originating from a web browser because HTTP was a widely used standard on World Wide Web for request transfers between a web browser and a web server.

**Claim 14, 28, 43:** Hearst discloses a method, and a machine readable medium having instructions stored thereon of claims 1, 16 and 30, respectively. While Hearst does not explicitly disclose that wherein the response is an HTTP response, Anuff discloses a similar method and a machine readable medium having instructions thereon, wherein the response is an HTTP response (Fig. 13: HTTP connection.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add this feature disclosed in Anuff to Hearst. One would have been motivated to have a response in HTTP because HTTP was a widely used standard on World Wide Web for request/response transfers between a web browser and a web server.

6. Claims 10, 24 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hearst in view of Robertson et al., (6,486,895.)

**Claim 10, 24, 39:** Hearst discloses a method, and a machine readable medium having instructions stored thereon of claims 1, 16 and 30, respectively. While Hearst does not explicitly disclose that wherein the booklet control can render itself according to a

Art Unit: 2174

theme, Robertson discloses a similar method and a machine readable medium having instructions thereon, wherein the booklet control can render itself according to a theme (8:42-49; Fig. 9) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add this feature disclosed in Robertson to Hearst. One would have been motivated to utilize a booklet control that can render itself to according to a theme based on an explicit suggestion in Hearst to use a modification of Robertson's WebBook disclosure, wherein the WebBook object includes contents about its own spatial arrangement, margin information and selectable regions allowing it to render itself.

### ***Response to Arguments***

7. Rejection of Claim 45 based on 35 U.S.C. 101 in paragraph 1-2 of outstanding Office Action has been withdrawn in response to amendment of claim 45.

8. Applicant's arguments, with respect to 35 U.S.C 102(b) rejections, filed May 14, 2007 have been fully considered but they are not persuasive.

The Examiner respectfully disagrees with Applicant's argument that Hearst did not show or made obvious claims' 1, 16, 30 and 45 limitation "generating a control tree from the factory based on the request wherein the control tree includes a booklet control corresponding to the first booklet." In light of a lacking explicit definition for a "control" in the specification of the application, the Examiner takes the definition from the Computer Dictionary (Microsoft Press, Third Edition, Copyright © 1997, by Microsoft Press), which

Art Unit: 2174

defines a "control" as, "2. In a graphical user interface, an object on the screen that can be manipulated by the user to perform an action." In the Summary of the Invention (7:12-13) Hearst teaches that the cone tree generation component (i.e. factory) generates and displays a cone tree representing the category hierarchy, and additionally Hearst explicitly discloses "cat-a-cone" as a "cone tree whose leaves have been labeled with the categories of categorical hierarchy" (10:36-38.) Hearst further discloses that the leaves (i.e. controls) of the cat-a-cone are user selectable (i.e. can be manipulated) to control the booklet search query construction (i.e. booklet control) (10:32-59.)

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2174

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB  
July 11, 2007

  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100